

# United States District Court

DISTRICT OF MASSACHUSETTS  
MASSACHUSETTS

USGEN NEW ENGLAND, INC.

**SUMMONS IN A CIVIL CASE**

**V.**

CASE NUMBER:

MICHAEL O. LEAVITT, ADMINISTRATOR, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION I

04 12245 KL

TO: MICHAEL J. SULLIVAN  
U.S. Attorney  
United States Attorney's Office, District Of Massachusetts  
United States Courthouse, Suite 9200  
1 Courthouse Way  
Boston, MA 02210

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Wendy B. Jacobs, Esq.  
John M. Stevens, Esq.  
Randall E. Kromm, Esq.  
FOLEY HOAG, LLP  
155 Seaport Boulevard  
Boston, MA 02210

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK TONY ANASTAS  
SA Russ  
(BY) DEPUTY CLERK

DATE 10-22-04

AO 440 (Rev. 10/93) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE October 22, 2004
NAME OF SERVER (PRINT) Dominic Rivers	TITLE Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): Served personally upon Ilona Ferrara of the U.S. Attorney's  
Office at 1 Courthouse Way, Boston, MA.

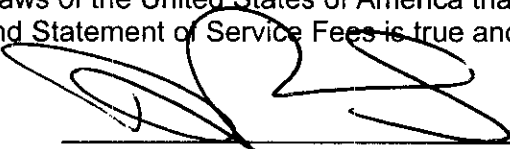
**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on October 25, 2004  
Date

  
Signature of Server

6 Beacon St. #825 Boston, MA  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.